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Attorney for Defendant

JOSE LOPEZ ZAMORA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE GUADALUPE LOPEZ-ZAMORA,
CHRISTIAN ANTHONY ROMERO,
JOAQUIN ALBERTO SOTELO VALDEZ,
ERIKA GABRIELA ZAMORA ROJO, JOSE
LUIS AGUILAR SAUCEDO, and ROSARIO
ZAMORA ROJO,

Defendants.

Case No.: 2:21-cr-007 DAD

STIPULATION AND [PROPOSED] ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: March 28, 2023

Time: 9:30 a.m.

Court: Hon. Dale A. Drozd

Plaintiff United States of America by and through Assistant United States Attorney David
Spencer, and Attorney Todd Leras on behalf of Defendant Jose Lopez Zamora, Attorney Kresta
Daly on behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant
Joaquin Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo,

ORDER CONTINUING STATUS
CONFERENCE

1 Attorney Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on
2 behalf of Defendant Rosario Zamora Rojo, stipulate as follows:

- 3 1. This matter is set for a status conference on March 28, 2023. Defendants move to
4 continue the status conference to June 27, 2023.
- 5 2. This case alleges the existence of a drug distribution conspiracy involving, among
6 other substances, fentanyl, cocaine, and methamphetamine. The Drug Enforcement
7 Administration's investigation included controlled purchases of various controlled
8 substances and the use of Court-authorized wiretaps on telephones associated with the
9 drug distribution conspiracy, including a phone being used to coordinate deliveries
10 from Mexico.
- 11 3. This matter was originally assigned to Senior United States District Judge Morrison
12 C. England, Jr. On November 9, 2021, Chief Judge Mueller reassigned this matter to
13 United States District Judge John A. Mendez (ECF Entry 226). On March 3, 2022,
14 the United States filed a Superseding Indictment (ECF Entry 276). The Superseding
15 Indictment included, among other changes from the original Indictment, expansion of
16 the date range for the charged conspiracy by approximately one year. It also added a
17 money laundering conspiracy and heroin distribution charges. On April 19, 2022,
18 Chief Judge Mueller reassigned the matter to United States District Judge Troy L.
19 Nunley due to Judge Mendez's change to senior status. (ECF Entry 317).
- 20 4. On August 5, 2022, Chief Judge Mueller, based on express consideration of the
21 equitable distribution of caseloads, reassigned this matter to this Court for all future
22 proceedings. (ECF Entry 357). On October 11, 2022, Attorney Martin Tejeda filed a
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28 ORDER CONTINUING STATUS
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1 Motion to Withdraw as Counsel of Record for Defendant Erika Zamora Rojo (ECF
2 Entry 382). This Court heard and granted the motion to withdraw on October 25,
3 2022. (ECF Entry 393). The Court granted a substitution request allowing Attorney
4 Jennifer Mouzis to represent Defendant Erika Zamora Rojo as appointed counsel in
5 this matter on December 5, 2022. (ECF Entry 408).

- 7 5. The discovery in this case is voluminous, consisting of approximately 7,800 pages of
8 reports, transcripts, photographs, and other materials produced during the
9 investigation. The intercepted telephone calls alone comprise hundreds of hours of
10 conversations between various participants in both English and Spanish. On January
11 19, 2023, this Court approved the appointment of Discovery Coordinating Attorney
12 John C. Ellis to assist with the discovery materials produced by the government.
13 (ECF Entry 426). During the first week of March 2023, Mr. Ellis produced to
14 defense counsel flash drives containing the complete discovery materials produced to
15 date along with various tools to assist in accessing them. On March 21, 2023, defense
16 counsel received an email invitation to participate in training to use the tools and
17 programs needed to access all the discovery materials contained on the flash drives.
18 The training has not yet been scheduled.

- 21 6. Defendants Lopez Zamora and Sotelo Valdez are housed at the Wayne Brown
22 Correctional Facility (WBCF) in Nevada City, California. WBCF is approximately
23 sixty-five miles from downtown Sacramento. Attorney travel for client visits is
24 therefore a necessary part of discovery review and defense preparation in this case.
25 In addition, WBCF restricts attorney use of electronic devices, requiring facility pre-
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- 1 approval and assignment to a specific visiting area before access to audio and video
2 evidence during client meetings is permitted. These restrictions complicate review of
3 recorded portions of the discovery with Mr. Lopez Zamora and Mr. Sotelo Valdez.
4
- 5 7. All defense counsel require additional time to continue review of the discovery
6 materials with their respective clients and to conduct defense investigation stemming
7 from them.
- 8 8. Given the continuing defense review of the discovery materials and investigation of
9 matters related to them, Defendants request to continue the status conference to June
10 27, 2023. They further move to exclude time between March 28, 2023 and June 27,
11 2023, inclusive, under Local Code T-4. The government does not oppose the request.
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- 13 9. All defense counsel represent and believe that failure to grant additional time as
14 requested would deny Defendants the reasonable time necessary for effective
15 preparation, considering the exercise of due diligence.
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- 17 10. Based on the above-stated facts, Defendants jointly request that the Court find that the
18 ends of justice served by continuing the case as requested outweigh the best interest
19 of the public and the Defendants in a trial within the time prescribed by the Speedy
20 Trial Act.
- 21 11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
22 *seq.*, within which trial must commence, the time period of March 28, 2023 to June
23 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and
24 (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court
25 at Defendants' request on the basis that the ends of justice served by taking such
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1 action outweigh the best interest of the public and the Defendants in a speedy trial.

2 12. Nothing in this stipulation and order shall preclude a finding that other provisions of
3 the Speedy Trial Act dictate that additional time periods are excludable from the
4 period within which a trial must commence.
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6 Assistant U.S. Attorney David Spencer, Attorney Kresta Daly on behalf of Defendant
7 Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin Sotelo Valdez,
8 Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney Dina Santos on
9 behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of Defendant
10 Rosario Zamora Rojo, have reviewed this stipulation and proposed order and authorized Todd
11 Leras via email to sign it on behalf of their respective clients.
12

13 DATED: March 21, 2023

PHILLIP A. TALBERT
United States Attorney

14
15 By /s/ Todd D. Leras for
DAVID SPENCER
Assistant United States Attorney

16 DATED: March 21, 2023

17 By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
JOSE LOPEZ ZAMORA

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20 DATED: March 21, 2023

21 By /s/ Todd D. Leras for
KRESTA N. DALY,
Attorney for Defendant
CHRISTIAN ROMORO

22
23
24 DATED: March 21, 2023

25 By /s/ Todd D. Leras for
MICHAEL D. LONG,
Attorney for Defendant
JOAQUIN SOTELO VALDEZ

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28 ORDER CONTINUING STATUS
CONFERENCE

1 DATED: March 21, 2023

2 By /s/ Todd D. Leras for
3 JENNIFER MOUZIS
4 Attorney for Defendant
5 ERIKA ZAMORA ROJO

6 DATED: March 21, 2023

7 By /s/ Todd D. Leras for
8 DINA SANTOS
9 Attorney for Defendant
10 JOSE AGUILAR SAUCEDO

11 DATED: March 21, 2023

12 By /s/ Todd D. Leras for
13 SHARI RUSK
14 Attorney for Defendant
15 ROSARIO ZAMORA ROJO

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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for March 28, 2023, is vacated. A new status conference is scheduled for June 27, 2023, at 9:30 a.m. The Court further finds, based on the representations of the parties and the request of all defense counsel, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from March 28, 2023, up to and including June 27, 2023.

IT IS SO ORDERED.

DATED: _____, 2023

HONORABLE DALE A. DROZD
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS
CONFERENCE